

108TH CONGRESS
1ST SESSION

H. R. 2471

To amend title XVIII of the Social Security Act to modify the requirement under the Emergency Medical Treatment and Labor Act (EMTALA) with respect to medical screening examinations.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2003

Mr. NUNES introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to modify the requirement under the Emergency Medical Treatment and Labor Act (EMTALA) with respect to medical screening examinations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Room
5 Modernization Act”.

1 **SEC. 2. MODIFICATION OF REQUIRMENT FOR MEDICAL**
2 **SCREENING EXAMINATIONS FOR PATIENTS**
3 **NOT REQUESTING EMERGENCY DEPART-**
4 **MENT SERVICES.**

5 (a) IN GENERAL.—Section 1867(a) of the Social Se-
6 curity Act (42 U.S.C. 1395dd(a)) is amended—

7 (1) by designating all that follows “(a) MED-
8 ICAL SCREENING REQUIREMENT.—” as paragraph
9 (1) with the heading “IN GENERAL.—”;

10 (2) by aligning such paragraph with the para-
11 graph added by paragraph (3); and

12 (3) by adding at the end the following new
13 paragraph:

14 “(2) EXCEPTION FOR CERTAIN CASES.—The re-
15 quirement for an appropriate medical screening ex-
16 amination under paragraph (1) shall not apply in
17 the case of an individual who comes to the emer-
18 gency department and does not request examination
19 or treatment for an emergency medical condition
20 (such as a request solely for prescription refills,
21 blood pressure screening, and non-emergency labora-
22 tory and diagnostic tests or requests treatment or
23 assistance in another department or setting in the
24 hospital or at a facility on the hospital campus).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply to terminations of participation
3 initiated on or after the date of the enactment of this Act.

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